

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6718

DEC 16 2004

INDIANA UTILITY
REGULATORY COMMISSION

VERIFIED PETITION OF NORTHERN)
INDIANA PUBLIC SERVICE COMPANY FOR)
APPROVAL OF AN ELECTRIC INDUSTRIAL)
FIRM INCREMENTAL POWER SERVICE)
CONTRACT WITH UNITED STATES STEEL)
CORPORATION, MIDWEST PLANT, AND)
FOR THE ESTABLISHMENT OF)
CONFIDENTIAL PROCEDURES RELATING)
TO SAID CONTRACT)

CAUSE NO. 42691

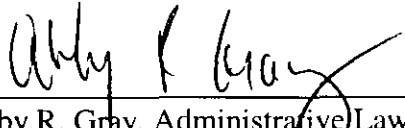
You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On December 15, 2004, pursuant to 170 I.A.C. 1-1.1-4, United States Steel Corporation ("U.S. Steel") filed its *Verified Motion for Leave to File Testimony and Exhibits Under Seal* ("Motion") in the above-captioned cause. In its Motion, U.S. Steel indicates that certain information that it intends to submit in this matter, contains trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Affidavit of Kenneth W. Mills* ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Motion and accompanying Affidavit, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver to the Presiding Administrative Law Judge, in a sealed envelope clearly marked confidential, with the Cause No. noted thereon, the Confidential Information which shall be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.


Abby R. Gray, Administrative Law Judge

Date: December 16, 2004